

REMARKS

The Office Action dated August 9, 2006 has been received and carefully noted. The above amendments to claims 1-6, 8-24, 29, and 30 and the following remarks, are submitted as a full and complete response thereto.

In accordance with the foregoing, claims 1-6, 8-24, 29, and 30 have been amended to improve clarity of the features recited therein. No new matter is being presented, and approval and entry are respectfully requested. As will be discussed below, it is also requested that all of claims 1-6 and 8-32 be found allowable as reciting patentable subject matter.

Claims 1-6 and 8-32 stand rejected and pending and under consideration.

DOUBLE PATENTING:

In the Office Action, at page 2, claim 30 was objected to as being a substantial duplicate of claim 29. Claim 29 has been amended to correct such duplicity. Accordingly, it is respectfully requested that the recitations of claims 29 and 30 be considered as defining further embodiments of the present application.

REJECTION UNDER 35 U.S.C. § 103:

In the Office Action, at page 3, claims 1-6 and 8-32 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application Publication 2004.0022233 to

Gemmer in view of the Admitted Prior Art, paragraphs [0002] to [0015], of the present invention. The Office Action took the position that Gemmer discloses the recitations of independent claims 1, 3, 21-26, 31, 32, except for the recitation providing that the access network charging identifier is distributed within the second network. Accordingly, the Office Action relies upon the Admitted Prior Art, page 4, paragraph [0013] and [0039]-[0040] as describing such recitation. The rejection is traversed and reconsideration is requested.

Independent claim 1, upon which claims 2, 5, 6, and 8-20 are dependent, recites a method, including establishing a communication session between a user equipment associated with a first access network and a node of a communication system via a second network and at least one entity of said communication system between said user equipment and said node, putting the session on hold, and reserving resources for said session while said session is on hold. The method further resumes said session with a message by which an access network charging identifier is distributed within the second network, wherein the first access network is different from the second network.

Independent claim 3, upon which claims 4 and 30 are dependent, recites a method including modifying an existing communication session between user equipment associated with a first access network and a node of a communication system via a second network and at least one entity of said communication system between said user equipment and said node, putting the session on hold, and reserving resources for the modified session while said session is on hold, and resuming said session with a message

by which an access network charging identifier is distributed within the second network, wherein the first access network is different from the second network.

Independent claim 21 recites a communication system for supporting a communication system, said system including a user equipment associated with a first access network, wherein the communication system is configured to support a communication session of said user equipment, and at least one entity between said user equipment and a node with which the user equipment is arranged to establish a session via a second network, the system being configured to establish said session between the user equipment and the node via said at least one entity, at least one of said node and said user equipment being configured to put the session on hold, at least one of said node and said user equipment being configured to reserve resources for said session while said session is on hold, at least one of said node and said user equipment being configured to resume said session with a message by which at least one entity distributes an access network charging identifier within the second network, wherein the first access network is different from the second network.

Independent claim 22 recites a communication system, said system including a user equipment associated with a first access network, wherein the communication system is configured to support a communication session of said user equipment, and at least one entity between said user equipment and a node with which the user equipment is configured to establish a session via a second network, the system being configured to modify a session between the user equipment and the node via said at least one entity, at

least one of said node and said user equipment being configured to put the session on hold, at least one of said node and said user equipment being configured to reserving resources for said modified session while said session is on hold, at least one of said node and said user equipment being configured to resume said session with a message by which at least one entity distributes an access network charging identifier within the second network, wherein the first access network is different from the second network.

Independent claim 23 recites a communication system, the system including at least one entity means between user equipment associated with a first access network and a node with which the user equipment is configured to establish a session via a second network, establishing means for establishing said session between the user equipment and the node via said at least one entity means, placement means for putting the session on hold, reserving means for reserving resources for said session while said session is on hold, and resuming means for resuming said session with a message by which an access network charging identifier is distributed within said second network, wherein the first access network is different from the second network.

Independent claim 24 recites a communication system, the system including at least one entity means between user equipment associated with a first access network and a node with which the user equipment is configured to establish a session via a second network, modifying means for modifying an existing session between the user equipment and the node via said at least one entity, placement means for putting the session on hold, first reserving means for reserving resources for the modified session while said session

is on hold, second reserving means for reserving resources for the modified session while said session is on hold, and resuming means for resuming said session with a message by which an access network charging identifier is distributed within said second network, wherein the first access network is different from the second network.

As will be discussed below, Gemmer fails to disclose or suggest the elements of any of the presently pending claims.

1) Gemmer and the Admitted Prior Art fail to teach or suggest, at least, resuming a session with a message by which an access network charging identifier is distributed within the second network, wherein the first access network is different from the second network.

Gemmer generally describes a call connection between a first connection A and a second connection B. See paragraph [0021]. If a third connection C transmits a call request to the connection A, and the subscriber to connection C wishes to speak to a subscriber other than the subscriber of the connection A, then the subscriber of the connection A can transmit a command to hold and forward to the switching center VER the connection to the connection C. See paragraph [0022]. After setting up a call to the corresponding station C, the subscriber of the connection A can transmit a command BEF (access code) to the switching center (VER) in order to set up the connection between the connection C and the connection D. See paragraph [0024].

However, paragraphs [0021]-[0024] of Gemmer do not teach or suggest, at least, “resuming said session with a message by which an access network charging identifier is

distributed within the second network,” as recited in independent claims 1, 3, and 21-32. The command BEF of Gemmer is an access code to set up the connection between connection C and D, not a charging identifier that is distributed within a second network. Also, although Gemmer describes in paragraph [0025] that an appropriate request may be transmitted from the connection A to the switching center VER, such request is simply to resume connection. There is no teaching or suggestion in Gemmer regarding a transmission of a message by which **an access network charging identifier** is distributed within the second network. Emphasis added.

Similarly, the Admitted Prior Art fails to remedy the deficiencies of Gemmer. At page 4 of the Admitted Prior Art of the specification of the present application, the distribution of an access network charging identifier is described within an IMS network in a SIP "UPDATE" request message. Similarly to Gemmer, the Admitted Prior art does not teach or suggest a transmission of a message by which **an access network charging identifier** is distributed within the second network. Emphasis added. Instead, the message is simply an update request message.

Thus, Gemmer and the Admitted Prior Art fail to teach or suggest all the recitations of independent claims 1 and 3.

2) It would not have been obvious for a person of ordinary skill in the art to have applied the distribution of the Admitted Prior Art to Gemmer.

Applicants respectfully assert that it would not have been obvious to have applied such distribution of the Admitted Prior Art to Gemmer because (i) Gemmer does not at all relate to **establishing a session via an IMS network**; and (ii) even if it supposed, for the sake of argument but not admitted, that the switching network described in Gemmer is an IMS network, the distribution of the access network charging identifier described within an IMS network provided on page 4 of the Admitted Prior Art being applied to Gemmer would still not arrive at the subject matter of the independent claims of the present application. The combination of Gemmer and the Admitted Prior Art would not teach or suggest resuming or to resume “said session with a message by which an access network charging identifier is distributed within the second network, wherein the first access network is different from the second network,” as recited in independent claims 1, 3, and 21-32.

Specifically, paragraph [0019] of Gemmer describes how radio telephones can be connected to the switching network (SN) via appropriate interfaces. If it is supposed, for the sake of argument but not admitted, that the switching network in Gemmer were an IMS network and terminal A in Gemmer were a radio telephone, then the description provided in the Admitted Prior Art, described at page 4 of the specification of the present application, might be applicable to the establishment of a session between terminal A and a node in the switching network. However, according to the description provided in the Admitted Prior Art described at page 4 of the specification of the present application, the distribution of an access network charging identifier within the switching network of

Gemmer would happen before the switching center VER establishes the service connection (i.e., voice connection) between A and B, and hence before the interruption of the service connection between A and B and hence before the resumption of the service connection between A and B.

As described in the Admitted Prior Art at page 4 of the specification of the present application, the access network charging identifier is distributed with a SIP "UPDATE" request message including an indication that the quality of service resource reservation was successful, and paragraph [0014] of the specification of the present application indicates that the UPDATE request message is sent by the calling party to the terminating end point via the signaling path established by the INVITE request message. In the case of the service connection between A and B of Gemmer, such an UPDATE request message would be sent as preparation to establishing the service connection between A and B. After that the interruptions in the established service connection are controlled by the VER and there is no suggestion in the Admitted Prior Art of the present application to resend an UPDATE message each time the service connection between A and B is temporarily interrupted and resumed under the control of the switching center VER.

Thus, Gemmer and the Admitted Prior Art fail to teach or suggest all the recitations of independent claims 1 and 3.

Accordingly, in view of the foregoing, it is respectfully requested that claims 1-6 and 8-32 be allowed.

CONCLUSION:


In view of the above, Applicant respectfully submits that the claimed invention recites subject matter which is neither disclosed nor suggested in the cited prior art. Applicant further submits that the subject matter is more than sufficient to render the claimed invention unobvious to a person of skill in the art. Applicant therefore respectfully requests that each of claims 1-6 and 8-32 be found allowable and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time.

Any fees for such an extension together with any additional fees may be charged
to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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